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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/710,903	11/14/2000	Alto Stemmer	P00,1737	6144

26574 7590 05/30/2003

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EXAMINER
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KE, PENG

ART UNIT	PAPER NUMBER
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2174

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DATE MAILED: 05/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

09/710,903

Applicant(s)

STEMMER ET AL.

Examiner

Peng Ke

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

*Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Kuc et al. (US 5,594,849).

As per claim 1, Kuc et al. teaches a method for altering a protocol in a magnetic resonance apparatus comprising the steps of:

- (a) displaying a display presentation at a user interface for a magnetic resonance apparatus containing a first parameter in a protocol for operating the magnetic resonance apparatus and a second parameter in said protocol for operating the magnetic resonance apparatus (col 10, lines 15-33);
- (b) in said display presentation, showing a range of values for said first parameter including designating a first sub-range within said range wherein selection of a value does not modify said second parameter, and a second sub-range within said range wherein selection of a value causes modification of said second parameter (fig 11, item 24, col 10, lines 15-33);

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- (c) if a value for said first parameter is selected in said second sub-range, automatically showing in said display presentation how the value selected for said first parameter will modify said second parameter (fig 11, item 23, col 10, lines 15-33); and
- (d) giving a user an option in said display presentation to confirm selection of said value selected for said first parameter or to reject selection of said value selected for said first parameter, via said user interface(fig 11, item 23, col 10, lines 15-33). It is inherent that can still cancel the selection by defining the parameter to zero.

As per claim 2, Kuc et al. teaches a method as claimed in claim 1 wherein step (c) comprises automatically showing how the value selected for said first parameter will modify said second parameter in a pop-up dialog within said display presentation (fig 11, item 23, col 10, lines 15-33).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kuc et al. (US 5,594,849) in view of Hayes et al. (US 6,366,834).

As per claim 3, Kuc et al. teaches a method as claimed in claim 1. However Kuc et al. fails to teach wherein step (b) comprises designating said first sub-range with a first

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color in said display presentation and designating said second sub-range with a second color in said display presentation.

Hayes et al. teaches a method which comprises designating said first sub-range with a first color in said display presentation and designating said second sub-range with a second color in said display presentation (col 5, lines 50-68).

It would have been obvious to an artisan at the time of the invention to include Hayes's teaching with Kuc et al.'s method in order to give user a better idea of the area that is being zoomed in.

### *Conclusion*

The following patents are cited to further show the state of the art with respect to a MIR control apparatus:

Babula et al. (US 6,353,445) : discloses a medical imaging system with integrated service interface.

Hoenninger, III et al. (US 5,606,258) discloses a control interface for an MRI system

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peng Ke whose telephone number is (703) 305-7615.

The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KRISTINE L KINCAID can be reached on (703) 308-0640. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Peng Ke  
May 14, 2003

*Kristine Kincaid*  
KRISTINE KINCAID  
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